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I.C.C. DOCKET NO. 00-0660

Staff Exhibit No. 1

Witness \_\_\_\_\_

Date 5/22/01 Reporter JW

Docket No. 00-0660

ICC Staff Exhibit 1.0

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**DIRECT TESTIMONY**

**OF**

**RONALD LINKENBACK**

**ENGINEERING DEPARTMENT**

**ENERGY DIVISION**

**ILLINOIS COMMERCE COMMISSION**

**COMMONWEALTH EDISON COMPANY**

**DOCKET NO. 00-0660**

**An Application of Commonwealth Edison Company for a  
Certificate of Public Convenience and Necessity**

**April 2001**

1 Q. Please state your name and business address.

2 A. My name is Ronald Linkenback and my business address is 527 East Capitol  
3 Avenue, Springfield, Illinois 62701.

4 Q. By whom are you employed and in what capacity?

5 A. I am employed by the Illinois Commerce Commission as an Economic Analyst in  
6 the Electric Section of the Engineering Department of the Energy Division.

7 Q. Please state your experience and educational background.

8 A. I hold a Bachelor of Science degree in Electrical Engineering from Iowa State  
9 University. I am a registered Professional Engineer in the State of California. I was  
10 employed as an Electrical Engineer with San Diego Gas & Electric Company for six  
11 years, then with the City of Highland, Illinois as the manager of the municipal electric  
12 system for seven years and prior to joining the Illinois Commerce Commission I  
13 worked for High Voltage Maintenance Corporation as the manager of the Cleveland  
14 Division.

15 Q. What are your responsibilities as an Economic Analyst in the Electric Section of the  
16 Energy Division's Engineering Department?

17 A. My primary responsibilities and duties are in the performance of analyses dealing  
18 with the day-to-day and long-term operations and planning of the electric utilities  
19 serving Illinois. This work includes reviewing cogeneration tariffs, determining the  
20 used and usefulness of utilities' capital additions to rate base, and reviewing  
21 utilities' applications for Certificates of Public Convenience and Necessity.

22 Q. What are your responsibilities in this docket?

23 A. On October 5, 2000, Commonwealth Edison Company ("ComEd") filed an  
24 Application requesting a Certificate of Public Convenience and Necessity  
25 ("Certificate"), pursuant to Section 8-406 of the Illinois Public Utilities Act (the "Act")  
26 to construct, own, operate, and maintain a new 138,000 volt ("138 kV") electric  
27 transmission line in Kankakee County, Illinois. I was directed by the Chief of the  
28 Electric Section to investigate and evaluate ComEd's need for the Certificate of  
29 Public convenience and Necessity.

30 Q. According to the Act, what criteria must a utility satisfy in order to receive  
31 a Certificate?

32 A. To obtain a Certificate, a utility must meet the criteria set forth in Section 8-406(b) of  
33 the Act, which states as follows:

34 (1) that the proposed construction is necessary to provide  
35 adequate, reliable and efficient service to its customers and is  
36 the least-cost means of satisfying the service needs of its  
37 customers;

38 (2) that the utility is capable of efficiently managing and  
39 supervising the construction process and has taken sufficient  
40 action to ensure adequate and efficient construction and  
41 supervision thereof; and

42 (3) that the utility is capable of financing the proposed  
43 construction without significant adverse financial  
44 consequences for the utility or its customers.

45 Q. Have you investigated and evaluated ComEd's application with regard to  
46 all three criteria?

47 A. No. My testimony will offer an opinion pertaining to the evidence that ComEd has  
48 submitted in this proceeding to meet the criteria of Section 8-406(b)(1)&(2), of the  
49 Act.

50 Q. Has ComEd met the criteria of Section 8-406(b)(1)?

51 A. Yes, for reasons that I will explain below, I believe that ComEd has met the criteria.  
52 ComEd's proposed project to construct a 138 kV electric transmission circuit is  
53 necessary to provide adequate, reliable, and efficient service to Duke Energy North  
54 America, L.L.C. ("Duke Energy"). The proposed project is the least-cost means of  
55 satisfying the service needs of Duke Energy.

56 Q. Has ComEd met the criteria of Section 8-406(b)(2)?

57 A. Yes, ComEd has stated in their petition that they are capable of efficiently managing  
58 and supervising the construction of the proposed 138 kV line.<sup>1</sup>

59 Q. Please describe the proposed 138 kV transmission circuit project.

60 A. ComEd is petitioning for a Certificate authorizing it to build, own, operate and  
61 maintain approximately 3.2 miles of new 138 kV transmission line. ComEd  
62 indicates that the new circuit is necessary because the Company received a  
63 request for transmission service from Duke Energy, an independent power  
64 producer. Duke Energy is expecting to produce approximately 600 megawatts of  
65 electrical power and requires a new transmission line to connect its generator to  
66 ComEd's electric transmission system. The new transmission line will consist of  
67 two 138 kV circuits installed on a new set of ComEd owned transmission structures.  
68 The new 138 kV line will be supported by new steel poles. The proposed new 138  
69 kV line begins at the existing Davis Creek Substation (TSS86), which is connected  
70 to ComEd's transmission system, and continues due east to the Duke Energy

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<sup>1</sup> Application, page 4, paragraph 12.

71 facility substation, called Kankakee Energy Center (TSS956). With the exception of  
72 one span into the Duke Energy substation, the proposed 138 kV line will be  
73 installed on the existing ComEd owned right-of-way and will be parallel to existing  
74 ComEd 138 kV lines in the same right-of-way.

75 **Necessity**

76 Q. Has ComEd provided information as to why this project is necessary?

77 A. Yes. ComEd stated that Duke Energy, an independent electric power producer,  
78 notified ComEd that it is developing a new independent electric generating facility in  
79 Kankakee County.<sup>2</sup> The transmission service is needed to allow ComEd to serve  
80 Duke Energy's new generating facility.

81 Q. How have you applied the requirements of Section 8-406(b)(1) to determine if this  
82 project is needed?

83 A. This Certificate request is different from the typical Certificate because the  
84 proposed project is not required to reinforce or upgrade ComEd's transmission  
85 system. Instead, the project is necessary to connect a customer. Therefore, the  
86 need for the proposed project is driven by Duke Energy's need for service.

87 Q. Were you provided any verification of Duke Energy's plan to build a generating  
88 plant?

89 A. Yes, I was. ComEd has received a request for interconnection from Duke Energy; I  
90 have seen the letter requesting service and I have seen an affidavit signed by Duke  
91 Energy indicating their intent to proceed with the project dated August 9, 2000.<sup>3</sup>

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<sup>2</sup> Application, page 1, paragraph 2.

<sup>3</sup> Response to Data Request ENG 1.1.

92 Q. When is the Duke Energy facility expected to be ready to produce power?

93 A. ComEd's Application states that Duke Energy expects that the new facility will be  
94 on-line in Spring 2002.<sup>4</sup>

95 Q. Did ComEd state when they need to start construction to meet the scheduled start  
96 up dates of Duke Energy?

97 A. ComEd feels they need to begin construction around September 2001 to have the  
98 transmission line in place to meet the Duke Energy start up schedule.<sup>5</sup>

99 Q. Are there any electric lines near the Duke Energy facility that ComEd can use to  
100 provide the required service?

101 A. No. There currently exists a double circuit 138 kV line adjacent to the Duke  
102 Energy facility. The existing 138 kV line is too small to handle the output of  
103 Duke Energy's generating units.<sup>6</sup> There are no other electric lines in the area  
104 of the proposed Duke Energy facility.

105 Q. Will the 138 kV interconnection provide adequate and reliable service to Duke  
106 Energy?

107 A. Yes, ComEd stated that the proposed 138 kV line will provide adequate and  
108 reliable service to the Duke Energy facility.<sup>7</sup>

109 **Least-Cost Alternative**

110 Q. Is the 138 kV electric transmission line that ComEd is proposing the least-cost  
111 alternative?

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<sup>4</sup> Application, page 2, paragraph 4.

112 A. Yes, it is my opinion that ComEd's proposed 138 kV transmission circuit will  
113 provide reliable service for the least cost.

114 Q. What is the cost to construct the transmission line proposed by ComEd to provide  
115 Duke Energy access to ComEd's transmission system?

116 A. The total estimated direct cost for the 138 kV transmission line is \$4.85 million in  
117 year 2002 dollars.<sup>8</sup> ComEd will design, build, own, operate and maintain the line.

118 The cost for the entire project, including the transmission line, engineering  
119 and substation work, is estimated to be \$9.425 million.<sup>9</sup> ComEd has stated that  
120 Duke Energy has agreed to reimburse ComEd for the entire cost of this project.<sup>10</sup>

121 Q. Will ComEd be reimbursed for costs incurred if the Duke Energy plant is not built?

122 A. In a letter of intent, signed by both Duke Energy and ComEd, Duke Energy agreed  
123 to reimburse ComEd for all costs and expenses incurred by ComEd in performing  
124 the work through the date of termination.<sup>11</sup>

125 Q. Are there any areas along the proposed route that will require ComEd to utilize a  
126 type of construction that would be considered non-standard by the industry?

127 A. No. ComEd does not anticipate having to use any non-standard construction  
128 techniques along the proposed transmission route.

129 **Transmission Line Route**

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<sup>5</sup> Mr. Koszyk's Direct Testimony, page 3, lines 55-57.

<sup>6</sup> Response to Data Request ENG 1.3.

<sup>7</sup> Response to Data Request ENG 1.6.

<sup>8</sup> Mr. Koszyk's Direct Testimony, Page 4, Lines 69 & 70.

<sup>9</sup> Response to Data Request FD-1

<sup>10</sup> Response to Data Request FD-2

<sup>11</sup> Response to Data Request ENG 1.1.

130 Q. Did ComEd consider any alternative line routes to serve the Duke Energy plant?

131 A. Yes, ComEd did briefly look at alternative 138 kV line routes. ComEd's  
132 recommended line route is on existing transmission right-of-way that is adjacent to  
133 the Duke Energy facility, is the shortest route and is the least cost route. For these  
134 reasons ComEd did not consider it necessary to strenuously review alternate line  
135 routes.<sup>12</sup> I agree with their decision.

136 Q. Did you inspect the proposed route?

137 A. Yes, on March 23, 2001, I conducted an inspection of the proposed route with  
138 Mr. Mark Lorenz and Ronald Dyslin, employees of ComEd. Mr. William Riley, an  
139 employee of the Illinois Commerce Commission, also participated in the route  
140 inspection.

141 Q. What conclusions did you make based on the visual inspection of the proposed  
142 route?

143 A. I concur with ComEd's selection of the proposed route to provide Duke Energy  
144 access to the transmission system. The proposed route is the most direct and it  
145 has minimal impact on the public.

146 Q. Did you have any other issues pertaining to the inspection of the proposed line route  
147 that should be addressed as part of this application for a Certificate petition?

148 A. Yes I do. It seems that ComEd's notice of this pending case was not sent to a  
149 current property owner whose property either abuts or is very near the proposed  
150 138 kV line.

151 Q. Where is this property located?

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<sup>12</sup> Mr. Lorenz's Direct Testimony, page 5, lines 101-103.



152 A. The property is approximately 2 miles northwest of the City of Bourbonnais on the  
153 East side of county road N1000 and approximately ½ mile north of county road  
154 W6000 in Manteno Township in Kankakee County.

155 Q. What is your basis for thinking that ComEd may not have contacted this property  
156 owner?

157 A. While reviewing the proposed route we came upon this property. ComEd witness  
158 Mr. Dyslin, Senior Real Estate Agent within ComEd's Real Estate Services  
159 Department, could not confirm that the owner of this property had been notified.  
160 Also, Exhibits C & D of the Petition lists the parties that ComEd sent a Notice of  
161 Filing. Among the parties receiving the Notice of Filings were two property owners  
162 in close proximity to the proposed line.<sup>13</sup> Mr. Dyslin did not think that either of the  
163 two property owners listed on Exhibit C or D were the owner of the property in  
164 question. While at this property location I also noted that a landscaped parcel of the  
165 property extended into what was supposed to be ComEd right-of-way.

166 Q. Why is the possibility that ComEd's notice was not provided to this property owner a  
167 matter of concern in this proceeding?

168 A. If the property owner was not notified, they would not know of ComEd's intent to  
169 construct a 138 kV line. The owner would also not know of this proceeding, and  
170 would not have been given the opportunity to participate in this proceeding.

171 Q. What is your recommendation concerning this issue?

172 A. I have three recommendations pertaining to this issue.  
173 1) ComEd should offer evidence as part of their rebuttal testimony that either:  
174 a) The property owner in question was notified at the time that this petition  
175 was filed with the Commission, or

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<sup>13</sup> Mr. Dyslin's Direct Testimony , pages 4 & 5, lines 91 - 94, and page 3 of Exhibit C of the Petition.

- 176                   b) the property owner has subsequently been notified of ComEd's intent to  
177                   construct a new 138 kV line near their property.
- 178           2) ComEd should provide evidence as part of their rebuttal testimony showing that  
179           either ComEd owns or has sufficient easement rights to construct the proposed  
180           138 kV line across the property owner's yard.
- 181           3) If the property owner wishes to participate in this proceeding, the scheduled May  
182           22, 2001, hearing date should be extended to accommodate for the property  
183           owner's participation.

184   Q.    Has ComEd complied with the advance notification requirements of 83 Illinois  
185           Administrative Code Part 305.60 and Code Part 200.150?

186   A.    I don't know. If ComEd did indeed fail to notify this property owner then ComEd may  
187           *not have complied with the advance notice requirements. However, ComEd has*  
188           provided information indicating that the local utilities, other property owners,  
189           governmental agencies and municipalities along the route have been notified.<sup>14</sup>

190   Q.    Will the proposed transmission line require the acquisition of any land in fee?

191   A.    No. Except for one span of 138 kV into the Duke Energy facility, the new circuit will  
192           be on new ComEd owned structures within existing right-of-way.<sup>15</sup> ComEd is  
193           obtaining the needed property rights from Duke Energy for the one span of 138 kV  
194           line.

195   Q.    Will ComEd have to acquire any right-of-way easements for the proposed  
196           transmission line?

197   A.    No.

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<sup>14</sup> Application, Attachments C and D and Mr. Dyslin's Direct Testimony, pages 5-6, lines 99-134.

<sup>15</sup> Mr. Dyslin's Direct Testimony, page 3, lines 66-69.

198 Q. Has ComEd met all the criteria under Section 8-406(b)(1)&(2), of the Act in order to  
199 obtain a certificate?

200 A. Yes.

201 Q. What is your recommendation?

202 A. ComEd's rebuttal testimony should provide documentation that any remaining  
203 property owners have been notified and that ComEd has the appropriate easement  
204 rights across the landscaped portion of the property mentioned above. Other than  
205 the issue pertaining to the one property owner I see no reason why ComEd should  
206 not be granted a Certificate of Public Convenience and Necessity to build, own,  
207 operate and maintain the approximately 3.2 miles of new 138 kV transmission line.

208 Q. Does this conclude your testimony?

209 A. Yes, it does.